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11 Mellon fka The Bank of New York, as Trustee for the
12 Certificateholders of CWALT, Inc., Alternative Loan
13 Trust 2005-85CB, Mortgage Pass-Through
14 Certificates, Series 2005-85CB*

15 **UNITED STATES DISTRICT COURT**

16 **DISTRICT OF NEVADA**

17 THE BANK OF NEW YORK MELLON, fka
18 THE BANK OF NEW YORK, AS
19 TRUSTEE FOR THE
20 CERTIFICATEHOLDERS OF CWALT,
21 INC., ALTERNATIVE LOAN TRUST 2005-
22 85CB, MORTGAGE PASS-THROUGH
23 CERTIFICATES, SERIES 2005-85CB,

24 Case No.: 2:17-cv-01335-RFB-NJK

25 **STIPULATION AND ORDER TO
26 DISMISS ACTION WITH PREJUDICE
27 PURSUANT TO A SETTLEMENT
28 AGREEMENT**

29 Plaintiff,

30 vs.

31 POSHBABY, LLC SERIES 1497 HIALEAH
32 DR. # D; SUNDANCE HOMEOWNERS
33 ASSOCIATION, INC.,

34 Defendants.

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36 COMES NOW, Plaintiff, The Bank of New York Mellon fka The Bank of New York, as
37 Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-85CB,
38 Mortgage Pass-Through Certificates, Series 2005-85CB (“BONY”), by and through its attorneys
39 of record WRIGHT, FINLAY & ZAK, LLP, Defendant, Sundance Homeowners Association,
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1 Inc. ("HOA"), by and through its attorneys of record LIPSON, NEILSON, COLE SELTZER &
2 GARIN, P.C., and Poshbaby, LLC Series 1497 Hialeah Dr. #D ("Poshbaby"), hereby stipulate to
3 dismiss this action with prejudice pursuant to execution of a settlement agreement. BONY, HOA
4 and Poshbaby agree to bear their own costs and fees; therefore

5 IT IS HEREBY STIPULATED that this action filed in the United States District Court,
6 District of Nevada as Case Number 2:17-cv-01335-RFB-NJK is hereby dismissed with prejudice
7 pursuant to a settlement agreement executed by and between BONY, HOA and Poshbaby; and

8 IT IS FURTHER STIPULATED that all parties shall bear their own costs and fees.

9
10 DATED this 17th day of January, 2018.

11 WRIGHT FINLAY & ZAK, LLP

12 LIPSON, NEILSON, COLE, SELTZER &
13 GARIN, P.C.

14 /s/ Victoria L. Hightower

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20 *Mellon fka The Bank of New York, as Trustee*
21 *for the Certificateholders of CWALT, Inc.,*
22 *Alternative Loan Trust 2005-85CB,*
23 *Mortgage Pass-Through Certificates, Series*
24 *2005-85CB*

25 /s/ David T. Ochoa

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21 AYON LAW, PLLC.

22 /s/ Luis A. Ayon

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Las Vegas, NV 89148
25 *Attorneys for Defendant, Poshbaby LLC*
Series 1497 Hialeah Dr. # D

3 **ORDER**
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5 **IT IS SO ORDERD.**
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7 DATED this 22nd day of January, 2018.
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16 RICHARD F. BOULWARE, II
17 United States District Judge
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20 Submitted by:
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22 WRIGHT FINLAY & ZAK, LLP
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24

25 /s/ Victoria L. Hightower
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